

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

<b>IN RE:</b>	§ <b>Case No. 19-31209-hcm</b>
<b>JOHN J. WINDLAND</b>	§ <b>Chapter 13</b>
<b>and</b>	§
<b>VALERIE WINDLAND</b>	§
<i>Debtors</i>	§

**TRUSTEE'S RESPONSE TO DEBTORS'  
AMENDED MOTION TO MODIFY CHAPTER 13 PLAN PURSUANT  
TO THE CARES ACT**

To the Honorable H. Christopher Mott, United States Bankruptcy Judge:

STUART C. COX, Standing Chapter 13 Trustee ("Trustee") objects to Debtors' Motion and avers:

1. Trustee objects to the granting of the motion as it omits the amortization of modified plan payments over the extended length of the plan to equal the plan base.
2. Further, Trustee object to the granting of the motion as it is mathematically incorrect, and omits any cure for Debtors current plan payment delinquency.
3. Furthermore, Trustee objects to the awarding attorney's fees for the filing of this first motion to modify as this request does not comport with the November 17, 2020 Standing Order For Chapter 13 Case Administration in the El Paso Division effective in all cases filed on or after November 1, 2017, and avers said request should be denied

**Relief Sought**

Trustee prays that Debtors' Motion be in all things denied. Trustee prays for such other and further relief as he may show himself justly entitled to in law or equity.

Respectfully submitted,

/s/Stuart C. Cox  
Stuart C. Cox SBN: 00794992  
Standing Chapter 13 Trustee  
/s/Lucille Zavala  
Lucille Zavala SBN: 22251370  
Senior Staff Attorney

1760 N. Lee Trevino Drive  
El Paso, TX 79936  
(915) 598-6769 telephone  
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### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served upon the parties listed below and to the parties on the attached service list, by United States Mail, first class, postage prepaid on November 05, 2020.

JOHN J. WINDLAND  
VALERIE WINDLAND  
3613 PALM GROVE CIR  
EL PASO, TX 79936-8219

TIMOTHY V. DANIEL  
603 MISSISSIPPI AVE  
EL PASO , TX 79902

/s/Stuart C. Cox  
Stuart C. Cox  
/s/Lucille Zavala  
Lucille Zavala

Label Matrix for local noticing  
0542-3  
Case 19-31209-hcm  
Western District of Texas  
El Paso  
Thu Nov 5 11:38:06 CST 2020

Armed Forces Bank, N.A.  
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1111 Main St Ste 1600  
Kansas City, MO 64105-2114

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7933 Preston Road  
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Capital One Bank (USA), N.A.  
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PO Box 71083  
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Conn Appliances, Inc.  
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Malvern PA 19355-0702

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C/o Resurgent Capital Services  
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Ovation Services LLC as agent for  
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United States Trustee - EP12  
U.S. Trustee's Office  
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El Paso Chapter 13 Trustee  
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Timothy V. Daniel  
Timothy V. Daniel, P.C.  
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Valerie Windland  
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The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Ovation Services LLC  
c/o Eddie Cantu  
Creel Law Group, PLLC  
4301 Westbank Dr., Bldg. B, Ste. 220  
Austin, TX 78746

Sprint Corp  
Attention Bankruptcy  
PO Box 7949  
Overland Park, KS 66207-0949

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)John J. Windland  
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Bypassed recipients 1  
Total 41